

**ORIGINAL**

**FILED**

August 10 2010

**IN THE SUPREME COURT OF THE STATE OF MONTANA**

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

Supreme Court No. DA 10-0194

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

TIMOTHY D. JOHNSON,

Defendant and Appellant.

**FILED**

AUG 10 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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**MOTION FOR EXTENSION OF TIME**

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COMES NOW, Colin M. Stephens, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until September 15, 2010, to prepare, file and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's first extension request for the opening brief. Opposing counsel has been contacted concerning this motion and does not object.

Dated this 9th day of August, 2010.



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Colin M. Stephens  
SMITH & STEPHENS, P.C.  
Attorney for Defendant & Appellant

## CERTIFICATE OF SERVICE

I, Colin M. Stephens, do hereby certify that I sent, or caused to have sent, a true and correct copy of the foregoing Motion for Extension of Time to the following individuals via the means indicated:

STEVE BULLOCK ..... U.S. Mail

Montana Attorney General

MARK MATTIOLI

Assistant Attorney General

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TIMOTHY JOHNSON

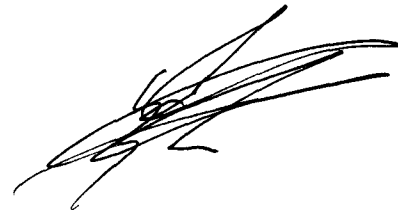
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MASC

2340 Mullan Rd.

Missoula, MT 59808

Dated this 9th day of August, 2010.



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Colin M. Stephens